



WESTFIELD-WASHINGTON
ADVISORY PLAN COMMISSION

July 16, 2012
1202-PUD-01
Exhibit 1

Petition Number: 1205-PUD-05

Petitioner: JR Farmer Harmony, LLC

Request: Change in zoning from the AG-SF1 District to the Harmony PUD District

Current Zoning: AG-SF1

Current Land Use: Agriculture/Vacant

Approximate Acreage: 277 acres

Exhibits:

1. Staff Report
2. Aerial Location Map
3. Harmony PUD Ordinance (Original Version), March 29, 2012
4. Harmony PUD Ordinance (Current Version), July 5, 2012
5. Harmony PUD Ordinance (Redline Version), July 5, 2012
6. APC and City Council Comments, June 2, 2012
7. Petitioner's Response to APC Comments, June 12, 2012
8. Petitioner's Comprehensive Plan Analysis, July 5, 2012
9. Public Comments, July 12, 2012
10. Neighbor Meeting Notes, March 13, 2012

Staff Reviewer: Kevin M. Todd, AICP

Petition History

This petition was introduced at the April 9, 2012 City Council meeting. The proposal received a public hearing at the May 7, 2012 Advisory Plan Commission (the "APC") meeting.

Project Overview

Location

The subject property is approximately 277 acres in size and is located on the west side of Ditch Road, between 146th Street and 156th Street (the "Property"). The Property is primarily vacant/agricultural in use.



Project Description

The proposed Harmony PUD Ordinance allows for a maximum of 710 single-family detached dwellings, 270 multi-family dwellings, 170,000 square feet of commercial space (the “Proposal”). The Harmony PUD Ordinance (the “PUD Ordinance”) establishes two (2) districts: a Single Family Residential District, which accommodates the project’s single-family dwellings; and a Mixed-Use District, which accommodates the project’s multi-family and commercial areas.

The Single Family Residential District defaults to the Single Family-4 District standards, and it includes multiple lot sizes and lot types. The Proposal includes two (2) different sizes of alley-loaded lots (front of the home oriented towards the street and garages oriented towards an alley in the rear); three (3) different sizes of front-load lots (front of the home and garages oriented towards the street); and mew lots (front of the home oriented towards a green space and garages oriented towards an alley in the rear). The Harmony PUD Ordinance also includes residential architectural standards.

The Mixed-Use District defaults to the Local Business standards and includes development standards for commercial uses and multi-family development. The Proposal also adopts the City’s State Highway 32 Overlay District’s architectural standards for its commercial area. The Mixed-Use District is divided into three (3) areas: Area A is the multi-family area; Area B is the commercial area north of the realigned 146th Street; and Area C is the commercial area south of the realigned 146th Street.

Project Topics

After the Public Hearing on May 7, 2012, comments and feedback from Advisory Plan Commission and City Council members regarding the Harmony PUD proposal were synthesized and sent to the petitioner (see Exhibit 6 for the full list of comments). The petitioner made changes to the PUD Ordinance based on the list of comments and submitted a revised proposal and a table explaining how each comment was addressed (see Exhibit 7). Staff’s review of the revision generated another round of primarily “ordinance construction”-based comments. The result of the second set of ordinance revisions is the current, July 5, 2012 version of the Harmony PUD Ordinance. The topics outlined below encapsulate the main themes of the comments and feedback given by the Advisory Plan Commission, City Council, Staff, and the general public throughout the review process.

Comprehensive Plan

A recurring comment was that the Harmony proposal does not line up with the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”). The Future Land Use Map in the



Comprehensive Plan does not indicate the intersection of Ditch Road and 146th Street as a place for local commercial development. The policy guidance in the Comprehensive Plan may indicate that commercial development at this location is not inappropriate. The petitioner submitted an analysis of how the Harmony PUD compares against the policies of the Comprehensive Plan (see Exhibit 8). The petitioner will further outline the Comprehensive Plan analysis during the July 16, 2012 APC meeting.

Single-Family Residential Architecture

A recurring comment was that the actual buildings need to look like the buildings that were shown during the APC presentation on May 7, 2012. This means that the standards need to cause/compel someone to build to a certain standard, and the standards need to be able to be administered and enforced. The petitioner responded to the comments by modifying the architectural requirements for the Single-Family Residential District. The proposed ordinance offers two paths for residential architecture.

One option is to choose from eight (8) traditional, known architectural home styles and follow the standards for achieving that architectural style. This concept and approach includes both text and pictures (see Harmony PUD, Section 3.4, A3 and Exhibit E) and is new to the proposal since the Public Hearing. As it is currently proposed, some of language in this section of the ordinance would be difficult to apply during a plan review. Staff recommends that this section of the ordinance be further refined before the APC makes a recommendation on the proposal.

The second option is to build a home that is not one of the eight (8) traditional styles, and choose from a menu of architectural features for each elevation of the building (see Harmony PUD, Section 3.4, A4). This approach was in the original submittal, and several APC and City Council comments asked for the minimum number of required architectural features per elevation to be increased. The revised proposal increased the minimum number of required architectural features on each elevation.

The petitioner will further outline the architectural standards during the July 16, 2012 APC meeting.

Orientation of Houses along Ditch Road

There were several comments regarding the orientation of houses along Ditch Road. Specifically, it was requested that the fronts of houses face Ditch Road. The petitioner responded by increasing the buffer planting requirements (more plants per linear foot than would typically be required) (see Harmony PUD, Section 5.2, C) and by increasing the number of architectural features required on the rear of a house that is within 50 feet of and faces Ditch Road (or any public way) (see Harmony PUD, Section 3.4, A4, c).



A typical house in Harmony (that is not one of the eight (8) defined architectural types) would be required a minimum of three (3) architectural elements on the rear elevation. The same house with a rear elevation within 50 feet of and facing Ditch Road would be required a minimum of five (5) architectural elements on the rear elevation. The petitioner will further outline this matter during the July 16, 2012 APC meeting.

Multi-Family Standards

Several concerns were raised regarding the original proposed intensity of the multi-family area, the proposed development standards, and the proposed architectural standards for Harmony's multi-family development. It was suggested that the Union Street Flats standards be used as a base for the Harmony project. The petitioner has modified the PUD Ordinance to include many of the Union Street Flats standards and building elevation examples (see Harmony PUD, Section 2.4 and Exhibit F). The petitioner will further outline the multi-family standards during the July 16, 2012 APC meeting.

Commercial Area

There were comments asking about the potential breakdown of the commercial area square-footage. The revised proposal includes maximum square-footages for various commercial use types (see Harmony PUD, Section 2.3, 3). Additionally, several residents have submitted written comments (see Exhibit 9), many of which offer concern with locating commercial uses at 146th Street and Ditch Road. The permitted use list defaults to the City's Local Business list, with the addition of a four (4) uses, including: "Health, fitness, and exercise center"; "Multifamily residential"; "Restaurants with drive-through facilities"; and "Convenience store with fueling center" (see Harmony PUD, Section 2.2). The list of proposed commercial uses has not changed since the project was initially submitted.

Buffer Yard Requirements

Several comments were made regarding the buffering of Harmony against existing neighbors. The PUD Ordinance defaults to Westfield's landscaping and buffer yard standards, with a few exceptions (see Harmony PUD, Section 5.2).

Buffer planting requirements along Ditch Road have been increased from the typical Westfield standards when the rear of a lot faces Ditch Road (see Harmony PUD, Section 5.2, C).



Buffer yard requirements for the Mixed-Use District have also been modified (see Harmony PUD, Section 5.3 and Figure #1). Staff believes that the intent is to increase the buffering requirements, but a comparison of the proposed standards against the City's standards indicates that, while the planting requirement is increased by 0.5 tree per 30 linear feet, the proposed buffer width is decreased from the City's standard. Staff recommends that this section of the ordinance be further refined before the APC makes a recommendation on the proposal.

The petitioner's response to a comment about buffering the existing McCarthy property (located along 156th Street) indicated that a 40-foot buffer would be provided (as opposed to the typical 20-foot buffer) (see Exhibit 7). There is no text in the PUD Ordinance requiring that buffer yard increase. Staff recommends that this matter be addressed in the PUD Ordinance before the APC makes a recommendation on the proposal.

In a neighbor meeting presentation on June 28, 2012, the petitioner indicated that the buffer yard width along Ditch Road would vary. There is no text in the PUD Ordinance requiring a buffer yard of varying widths along Ditch Road. If this matter is important to the APC, Staff recommends that it be addressed in the PUD Ordinance before the APC makes a recommendation on the proposal.

The petitioner will further outline the project's buffering requirements during the July 16, 2012 APC meeting.

Open Space

There were comments regarding the amount of open space that was being proposed in the original submittal, which was 20% of the total land area. The revised proposal indicates that Harmony would have a minimum of 69 acres, which equals 25% of the total land area (see Harmony PUD, Section 1.3).

In a neighbor meeting presentation on June 28, 2012, the petitioner indicated that the pipeline easement that bisects the project would be utilized as a "Central Park" and would include athletic fields and other amenities. There is no text in the PUD Ordinance requiring any of these improvements. If this matter is important to the APC, Staff recommends that it be addressed in the PUD Ordinance before the APC makes a recommendation on the proposal.

The Westfield-Washington Zoning Ordinance uses several different terms to regulate what amounts to "open space". The petitioner has proposed using the term "Open/Green Space" in the PUD Ordinance. This new term should be defined in the PUD Ordinance. Staff recommends that this term and the use of this term in the Harmony PUD Ordinance be further clarified in the PUD Ordinance before the APC makes a recommendation on the proposal.



Connectivity

There were comments concerning the vehicular and pedestrian connectivity of Harmony to its surroundings, especially to the west. The petitioner's response is that the frontage road paralleling 146th Street and the re-alignment of 151st Street with Bridgeport Drive in Centennial provide east-west access throughout the project. The revised concept plan also depicts a stubbed-street on the western edge of the project, between 151st Street and 156th Street (see Harmony PUD, Exhibit C). Regarding pedestrian connectivity, the City's ordinances require 8' pathways along perimeter streets. The petitioner will further outline the project's connectivity during the July 16, 2012 APC meeting.

146th Street

Hamilton County is planning an expansion of 146th Street, in order to convert it to a limited access thoroughfare from Springmill Road to the county line (the "146th Street Project"). The latest information provided by the County is that construction of the segment between Springmill Road and Ditch Road (including the round-about at Ditch) will begin in late 2013 and the segment will be completed sometime in 2015. The Harmony PUD has been planned with the 146th Street Project in mind. The petitioner has been in discussion with the County so that any planning issues between the Harmony PUD and the 146th Street Project can be addressed. As of the publishing of this report, there is no new news since the May 7, 2012 APC meeting regarding the 146th Street Project.

Public Notification

There were comments regarding the way in which members of the public were notified of various meetings. The petitioner complied with all state and local requirements for notifying the public of the May 7, 2012 Public Hearing. They also complied with the notification requirement for the March 12, 2012 neighbor meeting. The petitioner hosted a second neighbor meeting on June 28, 2012.

Viability of the Project

Concern was expressed regarding the viability of a project like Harmony at this point in time. The petitioner should be able to answer question regarding this matter during the July 16, 2012 APC meeting.



PUD Ordinance Construction

There are several outstanding “ordinance construction” items (in addition to what has been mentioned above) in the July 5, 2012 version of the Harmony PUD Ordinance that need to be addressed. The outstanding issues are generally things like: formatting issues (i.e. including page numbers; capitalizing all defined terms throughout the ordinance; and removing page number references from pictures in Exhibit E); clarification items (i.e., word choices; new definitions needed as a result of new text); and testing new standards/definitions (i.e., the anti-monotony standards and associated definitions). Staff would like time to work with the petitioner on these items and recommends that they be addressed before the APC makes a recommendation on the proposal.

Summary of Outstanding Issues

Below is a summary of the outstanding issues with the Harmony PUD Ordinance. Staff recommends that these items be addressed before the APC makes a recommendation on this proposal:

1. Refine the architectural standards for the eight (8) traditional architectural styles of homes;
2. Refine the “Enhanced Landscape Buffer in the Mixed Use District” standards;
3. Add a minimum buffer yard width requirement of 40’ around the McCarthy property;
4. If important to the APC, add standards requiring a varying buffer yard width along Ditch Road;
5. If important to the APC, add standards requiring the pipeline to become usable open space with athletic fields and perhaps other amenities;
6. Clarify the use of the term “Open/Green Space”; and
7. Address all other “ordinance construction” issues (i.e. formatting, clarification, and standards testing) identified by staff.